

Appln No. 10/533,348
Amdt date April 24, 2007
Reply to Office action of January 26, 2007

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs 1, 5A, 5C and 5D. These sheets, which include Figs. 1, 5A, 5B and 5C, replace the original sheets including Figs 1, 5A, 5C and 5D.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Reconsideration of the Application is respectfully requested. Currently claims 1 and 3-6 are pending in the Application. Claims 1, 3, 4, 5 and 6 have been amended and claim 2 has been canceled.

The Examiner has objected to the drawings. Corrected drawings are submitted which add the requested tooth-like protrusions and either the addition or deletion of the reference characters.

The Examiner has also objected to the specification for missing headings. The specification has been amended to insert the headings as requested.

Claims 1-6 have been rejected for indefiniteness due to the "consisting of" language. Claim 1 has been amended to recite "comprising."

Claim 1, 2, 4 and 5 have been rejected as allegedly obvious over Van der Wal. It is respectfully submitted that the claims as amended are not obvious over Van der Wall.

Claim 1 as amended recites a device for arranging at least two bands around one or more packets comprising, among other elements, band clamping and guiding means and at least two types of bands comprising a strap type band and a film type band wherein the band clamping and guiding means includes a first group of band clamping means having a first pair of jaws for the strap type band and a second group of band clamping and guiding means having a second pair of jaws for the film type band, the groups of jaws arranged one above the other. The present invention includes the novel combination of a device for arranging at least two bands around one or more packets wherein the two bands are different, i.e. one band is a strap and the other band is a film. Previous prior art devices for arranging straps do not incorporate different of types of bands. Van der Wal, for example, is a device for applying tape around an object wherein the machine utilizes only one type of band, i.e. tape. There is no disclosure of a combination of having two different types of bands, i.e. a strap and film as claimed. Van der Wal only discloses the use of a single type of band. It is respectfully submitted that strap and film are very different types of material which require a different sealing process and different tensioning. It is further

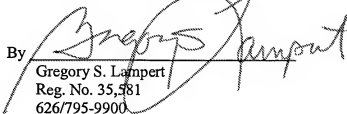
Appln No. 10/533,348
Amdt date April 24, 2007
Reply to Office action of January 26, 2007

respectfully submitted that the prior art fails to disclose a single machine which can apply both a strap and a film as claimed. Consequently, it is respectfully submitted that the claimed invention is not obvious over Van der Wal.

Claims 3 and 6 have both been rejected as obvious over Van der Wal in view of Odenthal. It is respectfully submitted that claims 3 and 6 are allowable for at least the reasons recited with respect to claim 1. In addition, Odenthal similarly does not disclose a machine for applying different types of bands on a single machine. Odenthal discloses a technique for applying tapes around a group of packages which does not use a first and second group of band clamping and guide means. In addition, Odenthal does teach to apply a band of the strap type and the film type at the same time.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is now in condition for allowance, and, accordingly, early indication thereof is respectfully requested.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Gregory S. Lampert
Reg. No. 35,581
626/795-9900

GSL/vsj

VSJ PAS733480.1-*04/24/07 2:22 PM